

BILL NO. S-68-10-²⁷~~24~~

SPECIAL ORDINANCE NO. S-160-68

AN ORDINANCE approving Sewer Agreement between BENEVOLENT AND PROTECTIVE ORDER OF ELKS NO. 155 and CITY OF FORT WAYNE for construction of sanitary sewer in the area of Hillegas Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement approved October 7, 1968, between the City of Fort Wayne, Indiana, by and through its Mayor and Board of Public Works, and BENEVOLENT AND PROTECTIVE ORDER OF ELKS NO. 155, as Developer, for the construction of Sanitary Sewer as follows:

Commencing at an existing manhole located in Steele Boulevard, thence Westerly in and along Steele Boulevard a distance of 400± l.f. to a proposed manhole; thence Westerly in and along a proposed easement a distance of 496± l.f. to a proposed manhole; thence Southwesterly along a proposed easement a distance of 400± l.f. to a proposed manhole; thence Westerly in and along a proposed easement along the South line of lot numbered 7 in High View Park Addition a distance of 350± l.f. to a proposed manhole; thence Southwesterly in and along a proposed easement a distance of 156± l.f. to a proposed manhole on the Northerly side of U.S. 30 and 33; thence Southerly in and under State Highway #30 and 33 right of way a distance of 245± l.f. to a proposed manhole; thence Southeasterly in and along a proposed easement a distance of 65± l.f. to a proposed manhole; thence Southerly in and along the East property line of lot numbered 14 in Stalf Court Addition, a distance of 366± l.f. to a proposed manhole; thence Westerly in and along Stalf Court a distance of 879± l.f. to a manhole located in Hillegas Road; thence Northerly in and along Hillegas Road a distance of 400± l.f., terminating at a proposed manhole.

Also, beginning at a proposed manhole on the above described sewer located in Hillegas Road; thence Westerly a distance of 345± l.f., terminating at the

Elk's Club House.

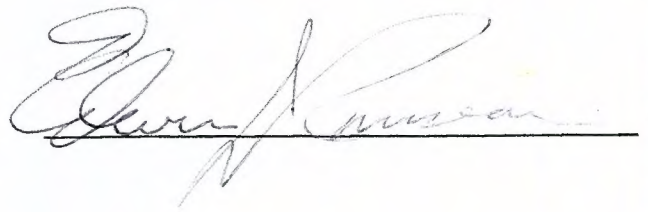
Said sewer shall be 6, 8, 12, 15 and 18 inches in diameter,

all in accordance with plans, specification and profiles heretofore submitted to the City and now on file in the office of the Chief Engineer of the Sewer Utilities of the City, and known as Elk's Country Club Interceptor - Resolution No. 191, for a total cost of \$48,386.00 to be paid by Developer, all as more particularly set forth in said Sewer Agreement which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is hereby in all things ratified, confirmed and approved.

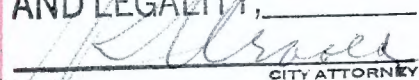
SECTION 2. The Developer, for itself, its successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of any territory now or hereafter owned by it, or hereafter served by said sewer or any extension thereof.

Any owner or owners of land which is now, or hereafter, located outside the corporate limits of City who connect into the sewer constructed hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of such land or of the territory in which it is located or of the area served by said sewer.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

A handwritten signature in cursive script, likely of the Mayor, written over a horizontal line.

APPROVED AS TO FORM
AND LEGALITY, _____

A handwritten signature in cursive script, likely of the City Attorney, written over a horizontal line.
CITY ATTORNEY

Bill No. S-68-10-27

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance

approving Sewer Agreement between BENEVOLENT AND PROTECTIVE ORDER OF ELKS

NO. 155 and CITY OF FORT WAYNE for construction of sanitary sewer in the area

of Hillegas Road,

have had said Ordinance under consideration and beg leave to report back to the Common

Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

PHIL A. STEIGERWALD, Vice-Chairman

JOHN NUCKOLS

THOMAS G. ADAMS

WILLIAM K. GEAKE

Edwin J. Rousseau
Phil A. Steigerwald
John Nuckols
Thomas G. Adams
Wm. K. Geake

CONCURRED IN

DATE 11-12-68 FUAD G. BONAHOOM, CITY CLERK

Read the first time in full and on motion by Rousseau seconded by Adams and duly adopted, read the second time by title and referred to the (Committee on) city utilities (~~and to the City Planning Commission for recommendation~~) (~~and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on _____ the _____ day of _____ 196 8, at _____ o'clock P.M., E.S.T.

Date: 10-22-68

Thad G. Bonachoon
City Clerk

Read the third time in full and on motion by Rousseau seconded by Nuckols and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	_____	ABSENT	_____	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Fay	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Robinson	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 11-12-68

Thad G. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~)(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. 5-160-68

on the 12th day of November, 196 8.

ATTEST: (SEAL)

Thad G. Bonachoon
City Clerk

Jack A. Dunifon
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 196 8 at the hour of 10:00 o'clock A.M., E.S.T.

Thad G. Bonachoon
City Clerk

Approved and signed by me this 13th day of November, 196 8 at the hour of 10:35 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor